

RICHARD S. FOX
ROBERT W. EDWARDS
HAROLD A. HINTZE
RICHARD G. BROWN
H. ROSS WORKMAN
WALTER J. PLUMB III
WILLIAM D. OSWALD
J. WINSLOW YOUNG
STEPHEN G. STOKER
RICHARD I. ASHTON
BLAINE L. CARLTON
HARRY E. MCCOY II
STEVEN D. PETERSON
LUKE H. ONG
RICK D. NYDEGGER

OF COUNSEL
B. LLOYD POELMAN

FOX, EDWARDS & PLUMB ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION
THE BENEFICIAL LIFE TOWER
SUITE 2000
36 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 521-7751

*Route
Full in
5m-
mills*

Reb

April 17, 1978

RON DANIELS & BRIAN W BUCK
DEPARTMENT OF NATURAL RESOURCES
OIL, GAS & MINING
1588 NORTH WEST TEMPLE
SALT LAKE CITY UT 84116

Re: Letter of Exemption 5-M Incorporated

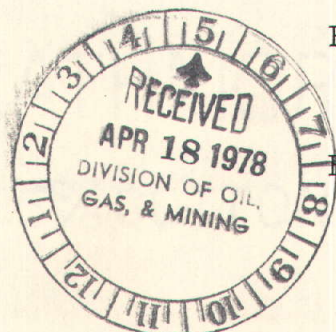
Gentlemen:

I enjoyed our recent meeting of April 13, 1978, in regard to 5-M Incorporated. I particularly appreciated your attention to the proposed mining and milling activities of 5-M Corporation in the area of Hurricane, Utah. We reiterate that the further documentation, such as additional copies of maps, topography information, etc., will be sent as soon as possible.

Until such time as the mining plan of 5-M is approved, 5-M Incorporated intends to rely on the exemption found in Utah Code Annotated Sec. 40-8-4(6) pertaining to the definition of mining operations. That is, 5-M will continue its mining operation but will confine the extent of such operations to an area of less than 2 acres of land mined in a period of 12 consecutive months.

We would appreciate processing this mining application as soon as possible. The company has invested substantial sums of money in the acquisition of properties, equipment, and other assets in order to make mining in the Hurricane area a viable venture. It is our feeling that this will be of great benefit to the populous, providing jobs in an area which badly needs further industry. Should you have any questions in regard to this letter, please do not hesitate to contact me.

FOX, EDWARDS & PLUMB



By

Walter J. Plumb

WJP/nw